



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

MEMORANDUM

SUBJECT: Enforcement and Compliance FY 2015 Reporting Plan

FROM: John Dombrowski
Director, Enforcement Targeting and Data Division

TO: Regional Enforcement Division Directors
Regional Enforcement Coordinators
Regional Media Division Directors
Regional Counsels
Superfund National Policy Managers
OECA Office Directors

This memorandum and its attachments provide the process and deadlines for reporting, reviewing, and certifying enforcement and compliance data for fiscal year (FY) 2015. Please pay particular attention to the FY 2015 schedule for reporting federal enforcement and compliance data and the description of new and changed reporting. All the attached information is available online at:

<http://intranet.epa.gov/oeca/oc/etdd/reporting/fy2015/index.html>

Most of the reviews can be completed utilizing the OECA Suite of Measures Summary (OSMS) Dashboard. However, if more detailed action-specific data are desired, Regions may run and review specific ICIS reports that contain data requiring more scrutiny. Regions should run and review the ICIS-Data Quality Reports (ICIS-DQR.). Regional Administrators (RAs) or Deputy Assistant Regional Administrators (DRAs) must certify that the ICIS-DQR reports have been reviewed and the necessary data corrections have been completed.

Certification Steps and Deadlines

1) Data Entry Deadlines: It is imperative the Regions and headquarters offices enter their data by the data entry deadlines. Senior managers including the Assistant Administrator use the OSMS Dashboard to preview the Agency's accomplishments.

- *Mid-year data entry deadline:* **April 14, 2015**
- *End-of-year data entry deadline:* **October 15, 2015**

2) Data Quality Review: Regions will have at least one week between the data entry deadline and the certification date to review and ensure all the data entered into the databases of record is accurate and complete.

- *Mid-year final data review completion date: **April 23, 2015***
- *End-of-year final data review completion date: **October 22, 2015***

3) Submit Manual Numbers and Certification: As was done last FY, Regional Administrators (or Deputy Regional Administrators) and OECA Office Directors are to electronically certify using the Reporting Plan website. The electronic submission is management's commitment that the information in the databases of record, and the OSMS Dashboard is correct.

- *For mid-year, Regions and OECA Offices will submit the Select Measures Workbook and FY 2015 Mid-Year Certification Form **no later than April 23, 2015**. The FY 2015 mid-year certification form will be available by April 1, 2015 at:*

<http://intranet.epa.gov/oeca/oc/etdd/reporting/fy2015/mycertification.html>

- *For end-of-year, Regions and OECA Offices will submit the Select Measures Workbook and FY 2015 Certification form **no later than October 22, 2015**. The FY 2015 certification form will be available by October 1, 2015 at:*

<http://intranet.epa.gov/oeca/oc/etdd/reporting/fy2015/eoycertification.html>

If you have any difficulties with your submission please contact Sara Ager, Team Leader, Reports Team at ager.sara@epa.gov or (202) 564-7968.

ICIS-Air

On October 26, 2014, the Integrated Compliance Information System - Phase III (ICIS-Air), which modernized the legacy Air Facility System (AFS), went into production and became available for use. ICIS-Air was initially populated with data extracted from AFS on October 17, 2014. The nationwide success rate for converting AFS plant records into ICIS air facility records was 99.9%. Creation of an AFS Data Archive and decommissioning of AFS were completed in December 2014.

Users can log in to ICIS-Air at <https://icis.epa.gov/icis>. To request a user ID, please contact your Regional ICIS-Air System Administrator- <https://icis.zendesk.com/entries/43264316-ICIS-System-Contacts>.

All functions of the ICIS-Air system are available for use, including:

- the web application for online direct data entry,
- Electronic Data Transfer (EDT) functionality for electronically submitting data via the Exchange Network, and
- the ICIS-Air data warehouse for creating standard and ad-hoc reports.

Thank you to you and your staffs for all the work you have done over the years in support of AFS Modernization. We are committed to continuing to provide any assistance needed (i.e., data migration fixes, training, policy interpretation) to ensure the usability of ICIS-Air. We look forward to continue working together in support of the national CAA stationary source enforcement and compliance program.

Contents of Reporting Plan

The FY 2015 Reporting Plan includes 24 items that describe deadlines, data entry requirements, and report modifications as listed below:

FY 2015 Schedule and Certification

1. FY 2015 Key Reporting Dates
2. Certification Submission

Data Entry

3. Entering Big Case Projection Data
4. Link CAA Stationary Source Evaluations With AIR Programmatic IDs
5. Reminder: Reporting TSCA Good Laboratory (GLP) Inspection in ICIS
6. Mapping Safe Drinking Water Act (SDWA) Cases

National Enforcement Initiative (NEI) Reporting

7. Changes in Reporting for the Air Toxics NEI
8. Six Most Common NEI Data Errors in ICIS
9. Continuing Effort to Improve NEI Data Quality
10. MS4 NEI Reporting, Data Migration, and Training in FY15
11. Other Planned NEI Data Migrations in FY15

Superfund Reporting

12. Superfund Enterprise Management System (SEMS) in FY 2015

Data Quality Reminders

13. Requirement to Submit Environmental Benefits Calculations to Headquarters for Review
14. New Guidelines on the Timeframe for Submitting Environmental Benefit Calculations to Headquarters for Review
15. Identifying and Entering Multi-Regional Administrative Cases
16. Reminder: All Data to Be Entered in a Timely Manner
17. Reminder: Federal Facility Activity Pick List and Activity Comment Field

Reports – New ICIS Reports and ICIS Report Modifications

18. New ICIS Report Filters
19. ICIS Reports Revised To Include the New Federal Facility Indicator
20. New ICIS Report: *DQR – Federal Facility Actions Report*
21. Report Modifications: ICIS NEI Reports
22. Report Modifications: ICIS Inspection Reports
23. Upcoming ICIS Report Modification: ICIS Compliance Inspection Report
24. ICIS Reports Moved to Different ICIS Folders

If you have any questions concerning the certification process, please contact Sara Ager, Team Leader, Reports Team at ager.sara@epa.gov or (202) 564-7968. If you have questions concerning the National Enforcement Initiatives or the Annual Compliance System process or measures, please contact Michele McKeever, Chief, National Planning and Measures Branch (202) 564-3688.

Thank you for your efforts to ensure that the data we report are complete and accurate. I look forward to our continued success in using the reported information to manage our programs effectively and accurately present our achievements.

Attachments:

FY 2015 Reporting Plan
FY 2015 GPRA Measures and Targets
FY 2015 NEI Reporting Guide

cc:

Cynthia Giles, OECA AA
Lawrence Starfield, OECA Principal DAA
David Hindin, OECA Senior Policy Advisor
OC Management and Staff
OECA Division Directors

FY 2015 Reporting Plan

FY 2015 Schedule and Certification

1. FY 2015 Key Reporting and Certification Dates

<u>FISCAL YEAR (FY) 2015 KEY REPORTING AND CERTIFICATION DATES</u>	
<u>DATE</u>	<u>ACTION</u>
April 14, 2015	Data Entry Deadline For All FY 2015 mid-year data (including Big Case Projection Data) – All data through March 31, 2015 has been entered into the database of record.
April 23, 2015	Completion of Data Quality Reviews - All databases, including the OSMS Dashboard, have been reviewed and all data through March 31, 2015 is complete and accurate. Certification Deadline - Regional (or Deputy) Administrators (RA or DRA) and Office of Enforcement and Compliance Office Directors (OECA OD) certify that all FY 2015 mid-year data in the national database systems, including the OSMS Dashboard, are complete and accurate.
July 15, 2015	Data Entry Deadline For All Data Thru June 30, 2015 - All data through June 30, 2015 has been entered into the database of record.
July 22, 2015	Completion of Data Quality Reviews - All databases, including the OSMS Dashboard, have been reviewed and all data through June 30, 2015 is complete and accurate.
October 15, 2015	Data Entry Deadline For FY 2015 - All data through September 30, 2015 has been entered into the database of record.
October 22, 2015	Completion of Data Quality Reviews - All databases, including the OSMS Dashboard, have been reviewed and the FY2015 information is complete and accurate. Certification Deadline - Regional (or Deputy) Administrators (RA or DRA) and Office of Enforcement and Compliance Office Directors (OECA OD) certify that all FY 2015 data in the national database systems are accurate and complete.

2. Certification Submission

As was done last FY, Regional Administrators (or Deputy Regional Administrator) and OECA Office Directors are to electronically certify using the Reporting Plan website. The electronic submission will automatically send an email to Office of Compliance staff confirming certification approval.

- Mid-year data is to be certified on or before April 23, 2015.
- End-of-Year data is to be certified on or before October, 22, 2015

If you should have any difficulties with your submission, please contact Sara Ager at 564-7968 or ager.sara@epa.gov

Data Entry

3. Entering Big Case Projection Data

All FY 2015 Projected Big Case data must be entered into ICIS no later than April 14, 2015. In FY 2015, Big Case Projections will continue to be a helpful case management tool for OC, OCE, OSRE, and DOJ. OC will pull Big Cases Projections data only once in FY 2015.

The Big Case Projection data will be used in conjunction with mid-year information presented in the OSMS Dashboard. The data will be used to inform the AA/Regional Planning Meetings; to inform the Assistant Administrator on end-of-year projections; and to support discussions held during the Summer Senior Enforcement Managers (SEM) meeting. In FY 2015, OC will only be collecting projection data for the current fiscal year. FY 2016 projections data are not being requested at this time.

The thresholds for determining “Big Cases” are listed below. Cases meeting any one of these thresholds should be entered on the ICIS Projected Big Case screen.

Pounds of Pollutants \geq 10 Million Pounds*
Hazardous Waste \geq 1 Million Pounds
Hazardous Air Pollutants (HAPs) \geq 200,000 Pounds
Contaminated Soil plus Contaminated Water \geq 1 Million Cubic Yards
Hazardous Pollutants \geq 1 Million pounds

Injunctive Relief plus Supplemental Environmental Project \geq \$100 Million
Penalties \geq \$1 Million
PRP Clean Up \geq \$5 Million
Cost Recovery \geq \$5 Million

**Please note that the pollutant thresholds that trigger submission of environmental benefit calculations to headquarters for review differ from those that trigger entry of Big Case Projections to ICIS. The thresholds triggering the headquarters environmental benefits review*

are ≥5 Million or more units (lbs, cubic yards, etc.) Calculations of environmental benefits that meet these thresholds should be submitted to Donna Inman (inman.donna@epa.gov).

4. Link CAA Stationary Source Evaluations With AIR Programmatic IDs

When entering Federal CAA Stationary Source evaluations (FCEs and PCEs) into ICIS, it is critical that every evaluation be linked to an AIR programmatic ID, rather than to a separate ICIS programmatic ID. Following this step will ensure these evaluations are counted correctly, and will avoid double counting.

If you have questions regarding this requirement, please contact David Sprague at (sprague.david@epa.gov), or at 202-564-4103.

5. Reminder: Reporting TSCA Good Laboratory (GLP) Inspection in ICIS

In FY 2014, the Regions reported into ICIS 35 TSCA GLP inspections. During the end-of-year certification review it was determined that these inspections were incorrectly entered as regional GLP inspections. As a reminder, the EPA GLP program is managed at EPA Headquarters, OECA, in the Office of Compliance. It is most likely that Regional inspectors are conducting another type of TSCA inspection at a laboratory and may be thinking in general terms of good laboratory practices. However, GLP is a specific set of regulations found in 40 CFR Part 792. The TSCA GLP program is managed by the Office of Compliance in the Monitoring Assistance and Media Program Division (MAMPD). Inspectors must go through a specific set of training requirements for TSCA GLP inspections outlined in EPA Order 3500.1 Program-Specific Training Requirements. MAMPD has no record of regional inspectors completing the required training.

It is unlikely that Regions are conducting TSCA GLP inspections. The term “Good Laboratory Practice” may sound general to some regional inspectors, but in fact it is a specific set of regulations. TSCA inspections conducted by regions should not be reported in ICIS using Law Section “TSCA 4: Testing of Chemical Substances and Mixtures: Good Laboratory Practices.” Regions should report their TSCA inspections in ICIS using one of the other law section choices. To ensure the TSCA inspection data is accurate, Regions are encouraged to review the ICIS National Standard Report “Compliance Evaluations/Inspections.” If any TSCA GLP inspections are reported within your region it is most likely that the selected law section needs to be corrected.

Please direct any questions concerning TSCA GLP inspections to Francisca Liem at Liem.Francisca@epa.gov or (202) 564-2365.

6. Mapping Safe Drinking Water Act (SDWA) Cases

In the past there has been concern about the sensitivity of mapping locational data related to Public Water Systems. Since FY 2011, OECA has been mapping SDWA cases based on information from ICIS based on agreement from the Office Director in OGWDW. Internal OW policy restrictions on SDWIS data apply exclusively to lat/longs of surface water intakes and wells, and, as such, all other lat/long data associated with the facility is not restricted.

Locational data for drinking water sources from other data systems (i.e., ICIS) can be mapped with the caveat, “the mapping data is not from SDWIS.” In order to enable OECA to continue to

map SDWA enforcement cases, regions are encouraged to enter locational data for linked facilities as they do for other programs. OECA will continue mapping SDWA enforcement cases with locational data in ICIS at end of year for FY15.

Please direct any questions concerning mapping of SDWA cases to Rochele Kadish at kadish.rochele@epa.gov or (202) 564-3106.

National Enforcement Initiative (NEI) Reporting

7. Changes in Reporting for the Air Toxics NEI

As a result of the October 2014 shift of CAA stationary source compliance and enforcement reporting from AFS to ICIS-Air, beginning in FY 15 all Air Toxics NEI enforcement and compliance activities now are to be entered into ICIS-Air. The NEI data reporting changes that result from the shift to ICIS-Air include:

- Input of Air Toxics NEI inspections and addressing actions into ICIS (instead of AFS);
- Use of the “Case File” module/screen that replaces the “Compliance Determination” module/screen for recording NEI addressed/controlled and no further action determinations, as well as NEI “Initiated Actions;”
- A number of minor changes related to how ICIS is navigated.

In addition, all reporting on the Air Toxics NEI now will come from ICIS-Air as the Air Toxics NEI addressed/ no further action determination data and evaluation data housed in the AFS system (for FYs 11-14) was previously migrated into ICIS-Air.

Further details on reporting of Air Toxics NEI data to ICIS and retrieving Air Toxics data from ICIS are provided in the *FY15 NEI Reporting Guide*. Please direct any questions concerning Air Toxics NEI data entry or on the *FY15 NEI Reporting Guide* to Dan Klaus (OECA/OC/PMOD) at klaus.dan@epa.gov or (202) 564-7757.

8. Six Most Common NEI Data Errors in ICIS

When quality reviewing National Enforcement Initiative data please keep in mind the six most common data quality issues that are listed below:

❖ Not creating a Case File (Compliance Determination) record.

A persistent problem with the NEI data is facilities that have been addressed but have no Compliance Determination/Case File record in ICIS recording this fact. In FY15, National Enforcement Initiative Case File records must be entered into ICIS for all NEIs. (Case File records for the MS4 NEI will be required to be entered after the universe data has been imported into ICIS). Addressing action Case File records should be created in ICIS to record each determination that a facility requires no further action and for each enforcement action event that qualifies as an addressing action (which varies by NEI). No further action determinations must be created for inspections, investigations, and evaluations that do not result in an enforcement action. Please refer to the FY 2015 NEI Reporting Guide for specifics on what events constitute an addressing action under each NEI.

❖ **Creating multiple NEI Case File records for a single NEI facility.**

It is almost never the right choice to create multiple NEI ICIS Case File records for a single NEI facility, unless the facility is being addressed under multiple NEIs. There are several reasons why regions are creating multiple Case File records for a single facility covered by one NEI:

Separate Facilities with a Single FRS Parent

NEI Case File records are tracked at the FRS level, so if one programmatic interest already has a case file determination, that is the one that should be used or edited. If there are instances where more than one programmatic interest exists under a single FRS parent, but they should be treated as separate facilities under the NEI, the regions should work with their FRS data stewards to separate one of the programmatic interests into a separate FRS facility.

Muni NEI Initiated Actions

In some instances, an ICIS Case File record might already exist based on an NEI Initiated Action (particularly for the Muni NEI). Rather than creating a new Case File record when the addressing action date occurs, the existing NEI Case File record should be updated.

Case File for Original Addressing Action Only

The NEI addressing action record should be created for the first enforcement action that is considered an addressing action for that facility. Subsequent enforcement actions, such as judicial order amendments or administrative penalty orders that follow administrative compliance orders should not result in creation of another Case File record. Similarly, only the original addressing action should result in a Case File record. If the referral date or complaint-filed date is considered the addressing action date, a Case File record should not be created when the enforcement action is concluded.

Navigating to an Existing Case File Record

The navigation in ICIS may make it difficult to see whether a Case File record already exists for a particular facility. Unless the Case File record is linked to a specific enforcement action or inspection, navigating from the Enforcement Action or Compliance Monitoring tab to the Case Files tab will not enable you to see all the Case File records associated with the facility. Navigating to the Case File record from the ICIS Facility module will show all the Case File records associated with the specific programmatic interest selected. However, there may be instances where the Case File record is linked to another programmatic interest under the same FRS facility. For example, if checking for a Case File record under a NPDES or AIR interest does not produce a result, it might be necessary to check any ICIS interests that have activities linked to see if the Case File exists under that record. Another effective way to see if a facility already has an associated Case File is to run the Compliance Determination report, or the appropriate NEI Spreadsheet Report. Those reports will specify which programmatic interest has a Case File linked to it. Note, however that these methods will not work if the Case File record is linked to an alternate FRS ID.

❖ **Linking activities (compliance determinations, inspections/evaluations/ investigations and enforcement actions) to the wrong, non-NEI FRS/Programmatic interest.**

The universes of facilities for the NEIs with universes were imported into ICIS based on the lists maintained by the Strategy Implementation Teams (SIT). Except in special circumstances, and with SIT approval, new facilities should not be added to the universe of facilities, and facilities should not be removed from the universe. This means that any activities (compliance monitoring, enforcement action, and case files) linked to facilities as part of the National Enforcement Initiatives should be linked only to the facilities that are part of the appropriate universe. Regions should not have to create new programmatic interests when linking to activities for Municipal, NSR/PSD, or Mineral Processing Initiatives. Before linking a facility interest to an activity, regions should assure that they select an interest that is flagged with the appropriate NEI universe indicator. Due to data quality issues in ICIS and FRS, there may be programmatic interest records that look similar to the facilities that are part of the universe. Regions should not link those interests to the NEI activities, but should instead work with their FRS data stewards to correct any facility data issues.

❖ **Not entering CAA and RCRA NEI inspections and investigations into ICIS.**

Although ICIS has not been the database of record for CAA and RCRA inspections and investigations, entry of Mineral Processing NEI inspections and NSR/PSD NEI investigations into ICIS has been required for the past few years. The migration from AFS to ICIS-Air in FY14 should alleviate this problem for NSR/PSD investigations. Appropriately entering the inspections and investigations into ICIS and flagging those activity records with the correct NEI will ensure that the inspections can be accurately tracked in ICIS.

❖ **Not flagging activity records as NEI.**

All activities, including Compliance Monitoring, Enforcement Actions, and Case Files, that are related to the National Enforcement Initiatives need to have the appropriate NEI flags selected to ensure they are counted for annual reporting and appear in the NEI ICIS reports.

❖ **Multiple FRS IDs for the same facility; Single FRS ID for separate facilities.**

The Facility Registry System (FRS) is meant to maintain a universal ID for facilities across all of EPA's data systems. The complexity in accurately matching and merging millions of programmatic interest records leads to some data quality problems. In some cases, FRS IDs may change as program records are merged together. This may create an orphan FRS record that has the NEI flag associated with it, and so it might appear that there are multiple FRS IDs for the same facility. Similarly, FRS may merge two facilities that appear to be the same based on their name and/or address when they really should be treated as separate facilities. Regions should remain vigilant in reviewing their NEI universes, and should work with their FRS data stewards to resolve problems whenever they occur.

Please direct any questions concerning NEI data quality to Dan Klaus (OECA/OC/PMOD) at klaus.dan@epa.gov or (202) 564-7757.

9. Continuing Effort to Improve NEI Data Quality

OECA is continuing its review and cleanup of past years' National Enforcement Initiative (NEI) data, primarily for the NEI's that have a defined universe of facilities. In accordance with the September 17, 2014 *Standard Operating Procedure (SOP): Coordinating Regular Quality Assurance Reviews of National Enforcement Initiative Data Reported to OECA's National Data Systems*, the OC Planning, Measures and Oversight Division (PMOD) will continue to coordinate and work with the OC Strategic Implementation Team (SIT) representatives and regions throughout this Quality Assurance (QA) process to assist them in effectively using the data system reports to conduct their NEI quality analysis and to derive the correct solutions to data entry issues identified.

OECA has provided training for the regions on QA of NEI data over the past two years, and regions are expected and encouraged to continue their own QA of NEI data. If OECA identifies additional data issues with historical NEI data, OECA will share that with the regions and the regions will be given the opportunity to correct the data themselves. If the regions choose not to correct the historical data records, OECA will make the appropriate changes in ICIS.

Please direct any questions concerning NEI data quality to Dan Klaus (OECA/OC/PMOD) at klaus.dan@epa.gov or (202) 564-7757.

10. MS4 NEI Reporting, Data Migration, and Training in FY15

In FY15, we expect to transfer reporting for the MS4 segment of the Municipal Infrastructure NEI to ICIS. Until this occurs, the regions should continue to input MS4 data to the MS4 spreadsheets that are distributed and maintained by the SIT. Until the shift to ICIS is made, the Regions are responsible for assuring that these spreadsheets are timely updated, and for reviewing these spreadsheets for accuracy and completeness as part of the FY15 data certification process.

The data migration and data entry to ICIS for the MS4 NEI will be unique because of the need to track the status of MS4 systems, in addition to individual MS4 permittees. To do this will require the use of the "Associated Permits" data field in ICIS-NPDES, a new Spreadsheet Report specifically designed for the MS4 data, and Case File determination records for that address the permittees, individual co-permittees, and the overall MS4 system. OECA will provide training for the regions on MS4 ICIS data entry at the time of the data migration to ensure the regions understand how the data is to be recorded in ICIS, particularly how to properly enter MS4 Case File records.

Please direct any questions concerning MS4 reporting, data migration or training to Dan Palmer (OECA/OC/PMOD) at palmer.daniel@epa.gov or (202) 564-5034.

11. Other Planned NEI Data Migrations in FY15

In FY15, the Office of Compliance intends to upload to ICIS information on NSR/PSD NEI facilities for which a determination has been made that no further action at that facility is required. (This data was not previously imported to ICIS due to concerns about its enforcement sensitivity.) The addition of this data to ICIS will assure that managers who use ICIS to review

the status of the NSR/PSD NEI universe will have complete information on the status of each facility. The data will be uploaded to the Facility No Further Action data field on the Case File data screen. If Case File information already exists for a facility in ICIS, that information will not be overwritten by the import.

At the same time, OECA will import inspection/investigation information for NSR/PSD facilities and mineral processing facilities. Importing this data into the ICIS Compliance Monitoring module is too complex, so the data will be imported into the Initiated Action data field on the Case File data screen (with modified drop-down menus). Since historical inspection and investigation data for NSR/PSD sources were previously maintained in AFS and Mineral Processing NEI data was maintained in RCRAInfo, the inspection data for these facilities in ICIS is sometimes incomplete or not flagged appropriately. The addition of this data in the ICIS Case File screen will allow managers to have reliable information on the inspection status of these facilities, including through the use of modified NSR/PSD and Mineral Processing NEI Spreadsheet Reports. By importing this data into the Case File screen, inspection and investigation data records in the ICIS Compliance Monitoring module will not be affected.

Please direct any questions concerning future NEI data migrations to Dan Palmer (OECA/OC/PMOD) at palmer.daniel@epa.gov or (202) 564-5034.

Superfund Reporting

12. Superfund Enterprise Management System (SEMS) in FY 2015

The Office of Superfund Remedial Technology Innovation's, OSWER, Superfund Enterprise Management System (SEMS) was formally deployed in the first quarter of FY 2014. SEMS replaced the CERCLA Information System (CERCLIS) reporting tool formally used for Superfund accomplishments reporting.

Beginning in FY 2014, Regions began managing accomplishments data, which includes GPRA measures and responsible party commitments, for the Superfund enforcement program in SEMS. Due to the unique circumstances associated with the CERCLIS to SEMS transition, the complexity of the data migration, as well as the heavy workload Regions faced in validating and updating Superfund site data, the Office of Site Remediation Enforcement (OSRE) implemented an alternative approach to FY 2014 end-of-year reporting to ensure accurate and timely accomplishments reporting for enforcement's key measures and to meet the Agency's annual reporting requirements. FY 2014 end-of-year accomplishments data were reported manually and certified through the OECA data certification process.

It is anticipated that by FY 2015 mid-year Regions will have entered all FY 2014 Superfund enforcement accomplishments data in SEMS/Primavera as well as FY 2015 targets and accomplishments. OSRE plans to pull FY 2015 mid-year accomplishments data from SEMS for review. To prepare for the mid-year pull, Regions should ensure that they have entered all Superfund enforcement accomplishments data into SEMS/PRIMAVERA by **April 14, 2015**. In addition, end-of-year accomplishments data will be reported from SEMS and the Office of Compliance will certify accomplishments data reported from SEMS as part of its end-of-year certification process.

Please direct any questions concerning FY 2015 SEMs reporting to Mary Bell (OECA/OSRE) at bell.mary@epa.gov.

Data Quality Reminders

13. Requirement to Submit Environmental Benefit Calculations to Headquarters for Review

In FY 2015, the regions are required to continue submitting calculations of environmental benefits accruing from EPA enforcement actions to Headquarters for review as part of the Office of Compliance's data quality process. The data quality process is designed to facilitate nationally consistent use of established CCDS methodologies and tools for calculating environmental benefits and to assure the necessary steps are taken to satisfy quality control requirements supporting the case data reported in ICIS.

Regions are required to forward to the HQ email box: inman.donna@epa.gov all "Big Case" environmental benefit calculations which are defined as follows:

- ❖ Any concluded federal enforcement case with injunctive relief and/or SEP related environmental benefits (e.g., pollutant reductions) estimated at **5 million or more units** (lbs, cubic yards, etc.).
- ❖ For **Air Toxics** cases the threshold is lowered to **200,000 lbs.**
- Applies only to complying actions in the "Removal & Restoration" or "Reduction of Ongoing Release" reporting categories as defined in the FY2014 CCDS guidance (see: <http://intranet.epa.gov/oeca/oc/pmod/index.html>).

The specific environmental benefit information HQ requires is a written step-by-step computation of estimated pollutant reductions to be achieved as a result of the final enforcement action. Further, as described in the CCDS guidance, whenever available, regions should use case-specific loading, emission or concentration data to calculate the benefits or the sector and/or parameter default values provided in the FY14 CCDS Guidance and calculator tools.

Please direct any questions concerning application of the CCDS guidance or the calculation of environmental benefits to Donna Inman (OC/PMOD) at inman.donna@epa.gov or (202) 564-2511.

14. New Guidelines on the Timeframe for Submitting Environmental Benefit Calculations to Headquarters for Review

To assure that environmental benefit calculations for "Big Cases" are reviewed by Headquarters prior to the environmental benefit numbers being released to the public (via a press release or ECHO), OC will be discussing with the other OECA offices and the Regions a Standard Operating Procedure (SOP) with the altered timeframe for assembling the calculations and submitting them to Headquarters for review. We expect this SOP to be circulated for review and comment shortly, and to become effective later in FY15.

15. Identifying and Entering Multi-Regional Administrative Cases

This is a reminder all multi-regional cases, including administrative multi-regional cases, must be identified as multi-regional cases in ICIS. For both judicial and administrative multi-regional cases, all regions must:

- ❖ select the ICIS multi-regional indicator box and,
- ❖ enter either (National Case) or (NC) in both the enforcement action name and the final order name.

For both judicial and administrative multi-regional cases, lead regions must enter (Lead) in the enforcement action name and the final order name. For both judicial and administrative cases, non-lead regions must select: “Non-Lead Participant in Multiregional Case. Only the lead region obtains conclusion counts for multiregional cases. The “Non-Lead Participant in a Multi-Regional Case” option has been available for both judicial and administrative actions since FY 2008.

If you have questions or comments regarding multi-regional cases, please contact Sara Ager at Ager.Sara@epa.gov.

16. Reminder: All Data to Be Entered in a Timely Manner

Regions and Headquarters Offices are required to report data in ICIS in a timely manner. All enforcement data from all statutes, including CERCLA, are to be entered in ICIS within two weeks after an enforcement activity occurs (e.g., upon the issuance of an order, signing of a referral, filing of a final order etc.) This time requirement has been in effect since the “Ensuring Integrity of Reported Enforcement and Compliance Data” memorandum was signed by J.P. Suarez and issued in May 2003. The entire memorandum can be found on the Reporting Plan intranet site, in IPOD and in ZenDesk under the same title.

17. Reminder: Federal Facility Activity Pick List and Activity Comment Field

This is a reminder to data entry staff to populate the data field for the “federal facility” activity pick list and federal facility activity comment field. The pick list is the primary identifier for marking and reporting all enforcement actions and compliance monitoring activities at federal facilities in ICIS. Totals for federal facilities are tracked and used in the EOY results, regional reviews, and other official reporting.

To identify federal government owned/government operated sites, select the field value “Federal Facility.” To identify activities taken against contractors or other non-federal parties operating on or affecting federal property (stormwater, asbestos remediation, spills, etc), select the field value “Non-Federal Party Impacting Federal Property.”

Cross Media Indicators	
Federal Facility Activity:	Federal Facility Activity Comment
<div>Federal Facility No Federal Facility Involvement Non-Federal Party Impacting Federal Property</div>	

Additional explanations about the federal agencies involved or the relation of the non-federal party to the federal site should be entered in the “Federal Facility Activity Comment” field. ICIS users may continue to enter (FF) in the enforcement action name and final order name but this data entry is no longer *required*.

If you have questions or comments regarding the federal facility activity pick list or the federal facility activity comment field, please contact Emery Harriston at 202-564-2497.

Reports – New ICIS Reports and ICIS Report Modifications

18. New ICIS Report Filters

All applicable FE&C National Standard Reports were updated in October, 2104 to either exclude AFS migrated data or to give the user the option to exclude AFS migrated data. To accomplish this, many report prompts were updated to include either the “Exclude PCS and AFS Migrated Data Filter” or the “Exclude AFS Migrated Data Filter.”

All ICIS reports that previously utilized the prompt: “Exclude PCS Migrated Data” were updated to utilize the: “Exclude PCS and AFS Migrated Data” prompt instead. If you have questions regarding these report filters, please contact David Sprague at sprague.david@epa.gov, or at 202-564-4103.

19. ICIS Reports Revised To Include the New Federal Facility Indicator

The Federal Facilities Indicator is an optional prompt available on National Standard Reports. The optional prompt is currently available in the:

- ❖ “Compliance Inspections” report,
- ❖ “Direct and Preventative Environmental Benefits” report,
- ❖ “Federal Enforcement Conclusions and NODs” report, and the
- ❖ “Stipulated Penalties” report.

In addition, the Federal Facilities Indicator will be added as an optional prompt to the:

- ❖ “Inj Relf Penalty and SEP Values - All Civil Cases” report by the April 2015.

The Federal Facilities Indicator prompt has three possible values:

- ❖ Federal Facility,
- ❖ No Federal Facility Involvement, and
- ❖ Non-Federal Party Impacting Federal Property.

To run a report and return results only related to federal facilities, the user should select these two prompt values: "Federal Facility" and "Non-Federal Party Impacting Federal Property". To retrieve all data (e.g., all cases regardless of federal facility status) the prompt should be left blank.

20. New ICIS Report: DQR – Federal Facility Actions Report

A new data quality review (DQR) report, “DQR – Federal Facility Actions Report,” has been posted in the FE&C National Standards Report folder. This report will assist with identifying Federal Facilities actions that do not have a selection made from the Federal Facility Activity drop down menu located on the FE&C Basic Info Screen.

The DQR - Federal Facility Activity report is run by entering a Status End Date. The start date has been hard coded for 10/1/2010, because FY 2011 is the first fiscal year that the federal facility field became available. The report has four (4) tabs which are as follows:

- ❖ Possible Federal Facility Name but missing Federal Facility Indicator
- ❖ (FF) in Name but Missing Federal Facility Indicator
- ❖ Federal Facility Indicator - No (FF)
- ❖ All with Possible Federal Facility Name

Below you will find a detailed description for each of the report tabs.

❖ **Possible Federal Facility Name but missing Federal Facility Indicator**

This report tab identifies “possible” federal facility actions by selecting enforcement action names or final order names typically associated with federal facilities, such as Navy, base, fort etc.... If there is a Federal Facility Action that is displaying on this report tab, update ICIS with the correct Federal Facility Activity - Either "Federal Facility" or "Non-Federal Party Impacting Federal Property" from the ICIS Federal Facility Activity drop down menu located on the FE&C Basic Info Screen. If there is an Action that is displaying on this tab that is not a Federal Facility and you don't want it to show up on this tab, then update the record in ICIS by selecting "No Federal Facility Involvement" from the ICIS Federal Facility Activity drop down menu located on the FE&C Basic Info Screen.

❖ **(FF) in Name but Missing Federal Facility Indicator**

This report tab identifies actions that have (FF) in the enforcement action name and/or final order name fields. If there is a Federal Facility Action that is displaying on this report tab, update ICIS with the correct Federal Facility Activity - Either "Federal Facility" or "Non-Federal Party Impacting Federal Property" from the ICIS Federal Facility Activity drop down menu located on the FE&C Basic Info Screen.

❖ **Federal Facility Indicator - No (FF)**

This report tab identifies all actions that have either the "Federal Facility" or "Non-Federal Party Impacting Federal Property" selection from the Federal Facility Activity drop down menu located on the FE&C Basic Info Screen, but are missing (FF) in the enforcement action name or final order name. Regions and headquarter offices may determine if they want to update their records with (FF) for easier case identification.

❖ **All with Possible Federal Facility Name**

The fourth report tab identifies all actions that have been identified as a “possible” federal facility actions by selecting enforcement action names or final order names typically associated with federal facilities, such as Navy, base, fort etc.... This tab includes both actions that have "Federal Facility" or "Non-Federal Party Impacting Federal Property" selected and actions that are missing a Federal Facility Activity.

If you have any questions or comments regarding specific federal facility actions please contact Lance Elson at 202-564-2577. If you have questions or comments regarding the report please contact Emery Harriston at 202-564-2497.

21. Report Modifications: ICIS NEI Reports

In November, 2014, modifications were completed to four ICIS NEI reports. Further information on each of the modifications may be found below.

❖ NEI Compliance Determination Report

To the “NEI Compliance Determination report” the “Federal Statutes Violated Code” was added to the crosstabs and detailed lists. In addition, the “Federal Programs Violated” was added to the detailed lists of this report.

❖ NEI Spreadsheet Reports

The Enforcement Action queries of the Municipal, NSR/PSD, and Mineral Processing Spreadsheet reports were modified to retrieve:

- ❖ all enforcement action types for administrative actions that have not concluded,
- ❖ civil judicial actions for judicial actions that have not concluded, and
- ❖ select final order types for concluded administrative and judicial actions.

Similarly, in the NSR/PSD and Mineral Processing Spreadsheet reports the “Enforcement Action Initiated Not Concluded” crosstab was modified to count:

- ❖ all enforcement action types for administrative actions that have not concluded, and
- ❖ civil judicial actions for judicial actions that have not concluded.

If you have questions regarding these report changes, please send them to David Sprague at sprague.david@epa.gov, or call him at 202-564-4103.

22. Report Modifications: ICIS Inspection Reports

In October, 2014, several changes were made to three ICIS inspection reports. Three SDWA law sections and one “TSCA Lead” law section were added to the reports. An additional inspection category (“CWA NPDES”) was also added to one of the reports; however this last categories is for information purposes only as the official CWA NPDES certified counts will come from ICIS-NPDES.

The following reports:

- ❖ “Compliance Inspections”,
- ❖ “ICDS Total Inspections Subject To ICDS”, and
- ❖ “Inspections-Evaluations Conducted by Tribal Inspectors using Federal Credentials”

were modified in the “Federal Enforcement and Compliance Reports / National Standard Reports” folder. The following changes were made to these reports:

- ❖ Where necessary, the query logic and/or report variables were updated so they are consistent across all three reports;
- ❖ The following SDWA law sections were added to the queries of the reports: “1431-PWS”, “1431-UIC”, and “1431-NONPWSUIC”. In addition, the corresponding variables were updated to correctly categorize SDWA inspections with these law sections;

- ❖ The necessary variables were updated so TSCA inspections with “402A” as a law section are categorized as “TSCA Lead”.

The inspection category: “CWA NPDES” was added to the ICIS “Compliance Inspections” report for *informational purposes only*. ICIS-NPDES remains the official database of record for these inspections.

If you have questions regarding these report changes, please send them to David Sprague at sprague.david@epa.gov, or at 202-564-4103.

23. Upcoming ICIS Report Modification: ICIS Compliance Inspection Report

In previous FYs, the official CAA inspection counts came from AFS. The CAA counts were previously separated into the four CAA measures listed below.

- CAA Stationary Source FCEs,
- CAA Stationary Source PCEs,
- CAA CFC only FCEs, and
- CAA CFC PCEs

Beginning in FY 2015, the metrics: “CAA CFC only FCEs” and “CAA CFC PCEs” will no longer be reported separately. Instead, these counts will be rolled into the two remaining metrics:

- CAA Stationary Source FCEs,
- CAA Stationary Source PCEs.

Headquarters is working on revising the current ICIS Compliance Inspections report to capture the breakout of CAA Stationary Sources. The goal is to have the report posted to ICIS by March 30, 2015 and to use these counts for mid-year reporting. We will provide further information and guidance once the report is finalized and posted to ICIS. If you have questions regarding the upcoming modifications, please contact David Sprague at (sprague.david@epa.gov), or at 202-564-4103.

24. ICIS Reports Moved to Different ICIS Folders

Several changes to report locations in the: “Federal Enforcement and Compliance Reports” (FE&C) folder have been made. Nine reports have been moved from the folder: “FE&C / Certification Reports” to the: “FE&C / National Standard Reports” folder. These nine reports are:

- AP VD NOD Details (from VD screen)
- Audit Policy Voluntary Disclosure NODs Entered as Informal EAs
- Audit Policy Voluntary Disclosure Program Injunctive Relief (Dollars Only)
- Cases with SEPs - Administrative and Civil Judicial
- NODs & Vol Self-Dis Resolved with Formal Enf with Direct Complying Actions Only
- NODs & Vol Self-Dis Resolved with Formal Enf with EMP Complying Actions Only
- Small Business Conclusions with Assessed Penalties
- Stipulated Penalties
- Supplemental Referrals

In addition, two reports have been moved from the folder: “FE&C / Environmental Benefit QA Reports” to a new folder: “FE&C / National Standard Reports / Environmental Benefit Reports.” These two reports are:

- Direct and Preventative Environmental Benefits
- National Enforcement Initiative Environmental Benefits

If you have questions regarding these report location changes, please send them to David Sprague at sprague.david@epa.gov, or call him at 202-564-4103.

FY 2015 Government Performance and Results Act (GPRA) Measures

The current FY 2015 GPRA Measures and Targets are listed in the chart below.

FY 2015 GPRA Measure	Target
Number of federal inspections and evaluations.	15,500
Number of civil judicial and administrative enforcement cases initiated.	2,700
Number of civil judicial and administrative enforcement cases concluded.	2,400
Percentage of open consent decrees reviewed for overall compliance status.	100%
Percentage of criminal cases having the most significant health, environmental, and deterrence impacts.	45%
Percentage of criminal cases with charges filed.	45%
Percentage of criminal cases with individual defendants.	75%
Percentage of conviction rate for criminal defendants.	85%
Millions of pounds of air pollutants reduced, treated, or eliminated through concluded enforcement actions.	310 M lbs.
Millions of pounds of water pollutants reduced, treated, or eliminated through concluded enforcement actions.	250 M lbs.
Millions of pounds of hazardous waste reduced, treated, or eliminated through concluded enforcement actions.	2,400 M lbs.
Percentage of all Superfund statute of limitations cases addressed at sites with unaddressed past Superfund costs equal to or greater than \$500,000.	100%
Percentage of Superfund sites having viable, liable responsible parties other than the federal government where EPA reaches a settlement or takes an enforcement action before starting a remedial action.	99%
Millions of cubic yards of contaminated soil and groundwater media EPA has obtained commitments to clean up as a result of concluded CERCLA and RCRA corrective action enforcement actions.	200 M Cu yds.
Millions of pounds of toxic and pesticide pollutants reduced, treated, or eliminated through concluded enforcement actions.	2.3 M lbs.

Standard Operating Procedure (SOP):
Coordinating Regular Quality Assurance Reviews of
National Enforcement Initiative Data Reported to OECA's National Data Systems
September 17, 2014

- 1) This document describes the coordinated effort to be taken by the Office of Compliance (OC) and the EPA regions to quality assure National Enforcement Initiative (NEI) data entered into the Integrated Compliance Information System (ICIS) and the Air Facility Subsystem (AFS) data systems. Through this effort, the Office of Compliance will assist the regions in identifying data quality issues and provide guidance on resolving those issues. The regions are ultimately responsible for assuring the quality of the data that they have entered into these systems (as reflected in the regions' MY and EOY data certification).
- 2) As part of the OC Data Certification process, regular quality reviews of National Enforcement Initiative (NEI) data will be undertaken by OC and regional enforcement personnel at fiscal mid-year and fiscal end-of-year to assure that the NEI data is accurate and reliable for MY and EOY reporting, including posting of NEI data to the EPA Web site.
- 3) The OC Planning, Measures and Oversight Division (PMOD) will work with the OC NEI Strategy Implementation Team (SIT) representatives to undertake this data quality review. The OC SIT representatives will work with PMOD and the Regions as necessary to support them in their QA of the NEI data. The OC SIT representatives will engage other SIT members only when the OC SIT representative and the regions require this additional input to resolve an NEI data quality issue.
- 4) PMOD will continue to provide guidance to the regions and HQ on NEI reporting by annually updating and reissuing the "NEI Reporting Guide" as a component of OC/Enforcement Targeting and Data Division's (ETDD's) annual Reporting Plan (memo titled, "Enforcement & Compliance Reporting Process"). PMOD will coordinate closely with ETDD to assure that the NEI Reporting Guide is prepared on a schedule such that it may be transmitted to the Regions and posted on the EPA intranet along with the annual Reporting Plan.
- 5) PMOD will continue to provide training to regional and HQ personnel (with a special emphasis on OC SIT members) on NEI data reporting and quality assurance as needed (annually at present).
 - This training will be coordinated with ETDD, with ETDD assisting as appropriate.
 - For FY 2014, PMOD conducted training sessions on a) changes and focus areas for FY14 NEI reporting, b) new NEI ICIS Spreadsheet reports, and c) MY and EOY QA of NEI data. PMOD will conduct similar training in FY 2015.
- 6) PMOD, the OC SIT representatives, and the regions will undertake the MY and EOY NEI data quality review process on a schedule that assures that the review will be completed on or before the date set by ETDD for regional certification of the MY/EOY data. PMOD will coordinate closely with ETDD to assure a mutual understanding and concurrence on the NEI review process and schedule. This close coordination will assure that the reviews are completed in a timely manner and that there will be no duplication of effort.

- 7) For each NEI, immediately following the MY and EOY data entry deadlines (set by ETDD), PMOD will run the data system reports listed below, post them to ETDD's Data Depot (and notify the regions of this posting) and provide them to the OC SIT representatives so that the OC SIT representatives and the regions can begin the process of conducting and coordinating a quality review of the NEI data. This review of the NEI data, like the rest of the MY and EOY certified data, will need to be completed by the date set by ETDD for the regions to certify to the completeness and accuracy of the NEI data.
- 8) PMOD will continue to coordinate and work with the OC SIT representatives and regions throughout this QA process to assist them in effectively using the data system reports to conduct their NEI quality analysis and to derive the correct solutions to data entry issues identified.
- 9) The NEI reports that will be used for conducting this quality review of the NEI data are:
- CAFO NEI
 - i. ICIS "NEI Compliance Determination Report"
 - Run for the current FY thru MY or EOY
 - Run for CAFO NEI
 - ii. ICIS "Total # Wet Weather Inspections" report
 - Run for the current FY thru MY or EOY
 - Run separately for CAFO and CAFO Regional Initiative Areas
 - iii. ICIS "Total # CAFO Joint Inspections" report
 - iv. ICIS "Certification NEI Enforcement Case Counts FY2011-FY 2016" report
 - Run for the current FY thru MY or EOY
 - v. ICIS "DQR - Initiated and Concluded National Initiative cases All" report
 - Run for the current FY thru MY or EOY
 - vi. ICIS "DQR - National Initiative & Program QA" report
 - Run for the current FY thru MY or EOY
 - Municipal Infrastructure NEI
 - i. ICIS "Municipal NEI Spreadsheet Report"
 - Run for the current FY thru MY or EOY
 - Run separately for CSO, SSO and MS4
 - ii. ICIS "Total # Wet Weather Inspections" report
 - Run for the current FY thru MY or EOY
 - Run separately for CSO, SSO and MS4
 - iii. ICIS "Certification NEI Enforcement Case Counts FY2011-FY 2016" report
 - Run for the current FY thru MY or EOY
 - iv. ICIS "DQR - Initiated and Concluded National Initiative cases All" report
 - Run for the current FY thru MY or EOY
 - v. ICIS "DQR - National Initiative & Program QA" report
 - Run for the current FY thru MY or EOY
 - Energy Extraction NEI
 - i. ICIS "NEI Compliance Determination Report"
 - Run for the current FY thru MY or EOY
 - Run for Energy Extraction NEI

- ii. ICIS "FY2011-FY2016 NEI Inspection-Evaluation Report" report
 - Run for the current FY thru MY or EOY
 - Run for Energy Extraction NEI
 - iii. ICIS "Certification NEI Enforcement Case Counts FY2011-FY 2016" report
 - Run for the current FY thru MY or EOY
 - iv. ICIS "DQR - Initiated and Concluded National Initiative cases All" report
 - Run for the current FY thru MY or EOY
 - Mineral Processing NEI
 - i. ICIS "Mineral Processing NEI Spreadsheet Report"
 - Run for the current FY thru MY or EOY
 - Run separately for Phosphoric Acid and Non-Phosphoric Acid
 - ii. ICIS "FY2011-FY2016 NEI Inspection-Evaluation Report" report
 - Run for the current FY thru MY or EOY
 - Run for Mineral Processing NEI
 - iii. ICIS "Certification NEI Enforcement Case Counts FY2011-FY 2016" report
 - Run for the current FY thru MY or EOY
 - iv. ICIS "DQR - Initiated and Concluded National Initiative cases All" report
 - Run for the current FY thru MY or EOY
 - NSR-PSD NEI
 - i. ICIS "NSR-PSD NEI Spreadsheet Report"
 - Run for the current FY thru MY or EOY
 - Run separately for Cement, Acid, Glass and Coal-Fired Power Plants
 - ii. ICIS "NSR-PSD NEI Investigations" report
 - iii. ICIS "Certification NEI Enforcement Case Counts FY2011-FY 2016" report
 - Run for the current FY thru MY or EOY
 - iv. ICIS "DQR - Initiated and Concluded National Initiative cases All" report
 - Run for the current FY thru MY or EOY
 - v. ICIS "DQR - National Initiative & Program QA" report
 - Run for the current FY thru MY or EOY
 - Air Toxics NEI
 - i. AFS Air Toxics Addressed/No Further Action Report
 - Run for the current FY thru MY or EOY
 - ii. AFS Air Toxics Evaluations Report
 - Run for the current FY thru MY or EOY
 - iii. ICIS "Certification NEI Enforcement Case Counts FY2011-FY 2016" report
 - Run for the current FY thru MY or EOY
 - iv. ICIS "DQR - Initiated and Concluded National Initiative cases All" report
 - Run for the current FY thru MY or EOY
- 10) PMOD will run the NEI reports listed above a final time following the date (set by ETDD) for EOY regional certification in accordance with the ETDD schedule and run and post these reports to the Data Depot.

- 11) OC does not anticipate that the effort described in this SOP for reviewing NEI data will continue indefinitely. The expectation is that the regions will become accustomed to undertaking the NEI data quality review and will undertake this effort with significantly less support from OC. OC will assess the need for continuing this enhanced NEI DQ effort annually beginning in FY 2015.